

Minutes of the Planning Commission meeting held on Thursday, September 4, 2008, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Tim Taylor, Chair
Karen Daniels, Vice-Chair
Sheri Van Bibber
Kurtis Aoki
Ray Black
Tim Tingey, Community & Economic Development Director
Ray Christensen, Senior Planner
Chad Wilkinson, Community Development Planner
G.L. Critchfield, Deputy City Attorney
Citizens

Excused: Jim Harland
Jeff Evans

The Staff Review meeting was held from 6:00 to 6:30 p.m. The planning commission members briefly reviewed the applications on the agenda. An audio recording of this is available at the Murray City Community and Economic Department.

Tim Taylor opened the Planning Commission meeting at 6:30 p.m. and welcomed the public.

APPROVAL OF MINUTES

Tim Taylor asked for additions or corrections to the July 3, 2008 minutes. Sheri Van Bibber made a motion to approve the minutes as submitted. Seconded by Karen Daniels.

A voice vote was made. The minutes were approved unanimously (5-0).

Mr. Taylor indicated that agenda item #3, Oliver Investment Company, has been withdrawn from this agenda.

CONFLICT OF INTEREST

Karen Daniels and Sheri Van Bibber indicated that they have done business with Larry Wilson, the applicant for item #4 in the past, but will have no bearing on their ability to make a decision tonight.

FUIZA MOTORS, LLC - 4885 South Commerce Drive

Renato Fuiza was the applicant present to represent this request. Chad Wilkinson, Community Development Planner, reviewed the location and request for Conditional Use Permit approval for automobile sales at the property addressed 4885 South Commerce Drive located within the M-G-C zone. Municipal Code 17.152.030 allows automobile sales within the M-G-C. The applicant is requesting automobile sales for approximately a 1,000 square foot portion of an existing 4,000 sq.ft. building. The applicant indicated that the business is primarily wholesale with business conducted over the internet and at auctions, and most of the transactions occurring offsite. A small number of automobiles will be kept on the lot. Because the automobile sales business is located in the manufacturing zone, it will not be detrimental to the health, safety and general welfare of residents or to the other properties in the vicinity. The portion of the building proposed for automobile sales had previously been used as an office for a cosmetic company. The

remainder of the building is occupied by an electrical contractor business. The plan submitted shows a total of 10 striped parking spaces. Approximately 1,000 sq.ft. of the building will be used by the automobile sales use requiring a total of four spaces. The existing electrical contractor business portion of the building is primarily a warehouse for electrical supplies used in the contracting business. Employees are only on site at the beginning of the day to obtain materials. Based on the warehouse rate of one space per 750 sq.ft. for warehouse uses, a total of four spaces are required for the electrical contractor use. The 10 spaces shown on site are adequate for the two uses on site, but only allows for two display vehicles. In addition, some modifications will be necessary in order to meet the requirements of the code related to required parking aisle dimensions and maneuvering areas. However, it appears that there is adequate area on the property to provide additional parking spaces meeting the requirements of the code with some modifications to the parking layout. Conditions of approval related to revisions of the parking layout are included in the staff recommendation. In addition to revisions to layout of parking, customer parking spaces will need to be clearly marked and distinguished from spaces used for auto sales. A formal landscape plan will need to be prepared showing compliance with the requirements of the landscaping sections of the code including width, landscape materials, etc. The property is accessed from two driveways on 5th Avenue. No direct access is proposed on Commerce Drive (300 West). Based on the analysis of the materials submitted, the site review, and information presented in this report, staff recommends approval of the Conditional Use Permit subject to conditions outlined.

Ray Black asked how many automobiles will be at the property at any given time. Mr. Fuiza responded that there would never be more than 15-20 automobiles on the property and most of the vehicles are on consignment or at other dealer locations and this is more of a dealer office for him, but he wishes to have the option of potentially selling vehicles from this location if necessary. He stated that this is not an exclusive wholesale business and he may sell a few automobiles at this location, but he does not plan to have 30 cars on the lot.

Chad Wilkinson stated that the site is limited by the number of customers and number of employees. He stated that the property owner must provide 8 parking spaces for the two businesses and if the owner/tenant can design the property so as to accommodate that many automobiles that would meet the city code, it would then be allowed. He stated there is potentially enough space for 5-7 display vehicles. The parking spaces must be striped to meet code. The eight parking spaces required would be inclusive of one ADA parking space.

Kurtis Aoki asked how Mr. Fuiza would differentiate between a car for sale or a customer car. Mr. Wilkinson stated that there is a requirement that the applicant must indicate on the site whether the parking stalls are for customers or display vehicles.

Renato Fuiza stated that he will limit the number of vehicles as approved by the commission.

David Platt, 389 West 4800 South, stated that he owns the property to the east and north. He asked about the narrowness of the street along Commerce Drive and if parking along the street is allowed. Mr. Wilkinson responded the applicants must maintain all their parking onsite and parking on the street is not allowed as part of the use.

Mr. Taylor stated if vehicles are being parked along the street it would become an enforcement issue.

Ray Black made a motion to grant Conditional Use Permit for Fuiza Motors, LLC, located at 4885 South Commerce Drive subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. A formal landscaping plan meeting the requirements of Chapter 17.68 of the Murray Municipal Code shall be submitted and approved by the Murray City Forester and installed as approved prior to occupancy.
4. The plan shall be revised to show parking meeting the current city standards including, but not limited to, maneuvering aisle width and parking space dimensions. A minimum of eight (8) spaces shall be maintained for use by employees/customers of the business on site and shall be striped to indicate employee or customer parking as applicable.
5. Upon approval of the parking plan by community development staff, parking shall be restriped on the site in accordance with the approved plan.
6. The project shall meet all Murray City Water and Sewer Department regulations.

Seconded by Karen Daniels.

Call vote recorded by Ray Christensen.

<u>A</u>	Ms. Van Bibber
<u>A</u>	Mr. Taylor
<u>A</u>	Ms. Daniels
<u>A</u>	Mr. Black
<u>A</u>	Mr. Aoki

Motion passed, 5-0.

STRATLER SUBDIVISION - 377 West 5900 South

Larry Wilson was the applicant present to represent this request. Ray Christensen reviewed the location and request for a subdivision amendment to the Stratler Subdivision plat. The subdivision amendment relates to combining two lots, #33 and #34, into one lot at the property addressed 377 West 5900 South located within the M-G-C zone. Municipal Code Ordinance 16.04.030 requires planning commission recommendation and approval by the Murray City Mayor for combining two lots into one lot. There is an existing building which was constructed over the boundary line that predated this requirement to not allow a building to be built over a property line. Currently there are two auto sales businesses using the existing building and sharing the parking lot. The building meets the setback requirements of the M-G-C zone. The various city departments recommended approval of the proposed subdivision amendment subject to meeting the city department requirements. Based on the information presented in this report, the application materials submitted and the site review, the planning staff recommends approval of the Stratler Subdivision Amended with conditions.

Larry Wilson, 5934 South 840 West, stated that the city requested that these two lots be combined and this application is complying with that request.

No comments were made by the public.

Kurtis Aoki made a motion to recommend approval to the Murray City Mayor for the Stratler Subdivision amended, combining lots #33 and #34, located at 377 West 5900 South subject to the following conditions:

1. Meet the requirements of the Murray City Engineer for the recording of the plat at the Salt Lake County Records Office.
2. The various city departments recommended approval of the proposed subdivision amendment subject to meeting city department requirements.

Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

<u>A</u>	Ms. Van Bibber
<u>A</u>	Mr. Taylor
<u>A</u>	Ms. Daniels
<u>A</u>	Mr. Black
<u>A</u>	Mr. Aoki

Motion passed, 5-0.

OLDHAM SUBDIVISION - 5595 South 700 West

Carl Oldham was present to represent this request. Ray Christensen reviewed the location and request for Conditional Use Permit approval to subdivide the property for a flag lot subdivision located at 5595 South 700 West located on .64 acre within the R-1-8 zone. Municipal Code Ordinance 17.76.140 A-I states that a flag lot subdivision is permitted in a single family residential zone with Conditional Use Permit approval subject to the conditions noted in the ordinance. The applicant is proposing to create a new building lot at the east side of the property. The properties will meet the parking requirements of two parking stalls per dwelling unit. The plans show the lots meet the minimum area requirements with 8,000 sq.ft. on the front lot and 10,000 sq.ft. minimum area on the rear lot. The driveway is an easement across the front lot. The new dwelling constructed on the back lot must meet the setback requirements of the R-1-8 zone. The applicant will need to meet the requirements of the Murray City Building Official for compliance to the building codes for construction of the new dwelling. The Murray City Engineer noted to obtain a Murray City excavation permit for installing the site utilities and drive approach. Damaged curb, gutter and sidewalk will need to be repaired when the back lot is built. Meet all the requirements of the Murray City Fire, Power, Water and Sewer Departments. Based on the analysis of the application, the site review and survey of the surrounding area, staff recommends approval of the Conditional Use Permit subject to conditions.

Carl Oldham, 5595 South 700 West, indicated he will meet the conditions as outlined. He stated he has received approval from the Murray City Power and Water Departments. He stated at the north side of the property he plans to flare the approach onto 700 West in order to improve the visibility. He stated he plans to eventually construct a new home on the new flag lot.

No comments were made by the public.

Ray Black made a motion to grant Conditional Use Permit approval for the Oldham Subdivision located at 5595 South 700 West subject to the following conditions:

1. The Murray City Engineer noted to obtain a Murray City excavation permit for installing site utilities and drive approach. Damaged curb, gutter and sidewalk will need to be replaced when a house on the flag lot is built.
2. Meet the requirements of the Murray City Building Official for compliance to building codes for construction of a new dwelling.
3. Meet all Murray Fire Department requirements including to meet current building and fire codes.
4. A formal landscaping plan will need to be submitted with the building permit for approval by the Murray City Forester and be installed as approved prior to final occupancy.
5. Meet all Murray City Water and Sewer Department requirements including plans submittal for the utility installations.

Seconded by Kurtis Aoki.

Call vote recorded by Ray Christensen.

<u>A</u>	Ms. Van Bibber
<u>A</u>	Mr. Taylor
<u>A</u>	Ms. Daniels
<u>A</u>	Mr. Black
<u>A</u>	Mr. Aoki

Motion passed, 5-0.

CENTRAL VILLAGE - 4532, 4536, 4540, 4546 South Elida Street 4549 South 600 East -
General Plan amendment and zone change from G-O to R-M-15

Sean Marquardt and Richard Pratt were the applicants present to represent this request. Tim Tingey reviewed the location and request for a general plan amendment from single family residential low density to residential multi-family medium density and a zone change from G-O (general office), to R-M-15 (multi-family medium density residential) and the properties addressed 4532, 4536, 4540, 4546 South Elida Street and 4549 South 600 East. The properties total approximately 1.93 acres. The subject properties were included in a previous application which received a negative recommendation to the city council from the planning commission and the applicant subsequently withdrew the application. The application has been revised and

resubmitted and no longer includes the R-1-8 properties to the west or the existing R-M-15 properties to the east along Van Winkle Expressway. The properties are located between 600 East and Van Winkle Expressway (700 East), although none of the properties have direct access to either of these streets. The properties are generally level and currently obtain access via Elida Street. Property to the north is zoned General Office and is developed with a mix of office buildings and residential structures. Properties to the south are zoned residential R-1-8 and R-M-15 and include a mix of single family and multi-family complex facilities. Property to the east is zoned residential R-M-15 and includes the Van Winkle Expressway and land uses are primarily multi-family. Property to the west is primarily single family and is zoned R-1-8. The purpose of the General Plan is to provide an overall goal and policy guidance related to planning issues in the community. The plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Chapter 2 of the Murray City General Plan identifies the goals and objectives for land use in the community. The plan also identifies future land use as depicted on Map 2-4. The area in question has been identified as residential single family low density which coincides with other areas west of this property. Additionally, the second goal in this chapter is to preserve and protect the quality of life or viable residential neighborhoods. Staff finds that redevelopment of this property is needed and that the proposed zoning provides for an appropriate transition from low density residential to more intense commercial and multi-family uses to the north and east. The subject area is located in a developed part of the City and is served by all utilities, public services and facilities. However, power, water and sewer services are not served by Murray City. The Engineering department indicated that redevelopment of this site will need to include evaluation of drainage and irrigation. There are also potential traffic impacts if development occurs after the property is considered for the rezoning.

Mr. Tingey summarized this application by indicating that the General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances; The requested change has been carefully considered based on characteristics of the site and surrounding area and policies of the General Plan; The plan directs that new commercial development should not be allowed in transitional areas adjacent to residential neighborhoods; The proposed R-M-15 zone provides for an appropriate transition between the existing single family uses in the neighborhood and commercial and multi-family uses to the north and east of the property; The proposed change in zoning provides for a logical extension of the existing R-M-15 zoning located in the area. Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested General Plan amendment and Zone Change.

Mr. Tingey indicated that there have been three letters submitted by property owners in this area and have been given to the commission members and will be included in the file. The letter from Cory Gallegos, 4561 South 600 East, indicated opposition to this request and the development would change the neighborhood for the worse, and requested that they keep the zoning in conformity to what is already existing for single family. Another letter from Jon Boyden, 4545 South 600 East, also in opposition to this proposal and expressed concern with issues of higher density and how that relates to the existing low density zoning, buffer zoning, potential future height issues, and that the general plan calls for this area to be low density. Mr. Tingey summarized the third letter from Amy Penechart in opposition to this request indicating concerns that this rezone would not provide adequate transition or barriers with the future development of this site. She indicated the goals in the general plan outline establishing and enhancing

appropriate transitions and buffers, and concern with the impact of the development on their specific site.

Tim Taylor asked the maximum height under conditional use permit allowed in the medium density residential zone. Mr. Tingey responded that 40 feet is the maximum allowed. Mr. Tingey stated that G-O zoning allows 35 feet in height and for each additional 4 feet distance separation from residential zoning, one additional foot in height may be allowed (4 to 1 ratio).

Sean Marquardt, stated he is working for Blaine Circle, LLC. Mr. Marquardt showed a presentation indicating the current uses of the properties for this proposal. Mr. Marquardt stated the previous request was for an R-M-20 zoning that accessed through from 600 East to 700 East. He stated that having a road connecting from 600 East to 700 East would eliminate some of the existing congestion. However, in order to provide the connection, it would require 50 feet of right-of-way for a length of approximately 800 feet. After the last hearing on July 3, the majority of the concerns were in regards to the connection from 600 East to 700 East. He stated that they are attempting to evaluate the best avenue for development of this property. He stated the property is adjacent to the Woodbury Corporation building to the north. The majority of the property was originally platted to have a twin building to the Woodbury Corporation on this site and they have entitlements for a 42,500 sq.ft. office building with a 14,000 sq.ft. footprint 40 feet in height. They feel this would be a big impact on the neighborhood to construct such a building and they don't feel it would be adequate. He stated that in order to justify the economics, they would need to build a 60,000 sq.ft. building however, they don't feel the market would sustain this size of a building. He stated they have conducted an analysis for this property and have concluded that a less intensive use than general office would be a better situation bordering the R-1-8 neighborhood. Because of the unique shape of the site and with the road requirements, they would essentially be looking at a 30-35 foot minimum height in order to be able to get the square footage necessary and be able to provide the adequate roadways. He stated that there is a need to revitalize the dilapidated property. There is approximately one acre of junk on the property and some mounds that are 6 feet tall with plastic containers and metal. The city's general plan does call for revitalization. He stated they are looking to create a diverse sustainable community with a healthy neighborhood and vibrant urban core and they are not wishing to pack apartments into a community. They are wishing to build a townhome community and hopefully have condos along 700 East, depending on the road situation. He stated they have an application pending with UDOT for the road situation. They would like to create a buffer between the various uses and a development that is consistent with the general plan and feel this proposal accomplishes these goals.

Mr. Marquardt stated they met with the Murray City fire marshal and discussed the possibility of removing the emergency ingress access "crash gate" to Elida Street to provide for emergency vehicles. The fire marshal indicated that this may not be required and could possibly be removed because with the road width proposed, there would be adequate protection and would still meet the emergency fire hydrant standards. In the R-1-8 zone, homes may be constructed to a height of 35 feet. Mr. Marquardt stated that the community has expressed concern with the mass and scale shadowing their neighborhoods. He explained that the maximum footprint proposed would be 7,200 sq.ft. The current entitlement allows for a 14,200 sq.ft. footprint on one building. He stated they feel an R-M-15 zoning is less of an impact than what the current entitlements allow under general office zoning.

Mr. Marquardt stated the city's general plan states the new commercial development should not be allowed in transitional area adjacent to residential neighborhoods. An extension of R-M-15 zoning to the west is the logical expansion and the request lessens the potential impacts on the immediate area and provides a better transition zone.

Richard Pratt, 2545 East Beacon Drive, Salt Lake City, stated he is the applicant for this proposal. He stated that there will be much negative comments made tonight in opposition to this proposal, but asked the planning commission to take into consideration that they had made a previous proposal for an R-M-20 zoning and they listened to the community and believe that this proposal addresses those concerns and is the best development for this property and the surrounding area. He stated that if they were to built an office building on this site using the access through the Woodbury building, it would create a horrible congestion and does not make sense.

Darrell Catmull, 4591 South 600 East, stated that R-M-15 zoning allows for a 40 foot height and the presentation given by the applicant indicated a 35 foot height. General office allows 35 feet in height. He stated that this proposal of 40 feet would block any mountain view that he would have and his view would then be of a structure. He stated if an office building were to be constructed, it may have to be setback back far enough so as not to block his view. He stated that there are vacant lots adjacent to him that are overpriced and are not selling and if this zoning is changed, what would prevent the owner of the vacant lots from also rezoning property to R-M-15. He asked the setbacks of the R-M-15 zoning. He stated that general office zoning would be busy during the daytime and quiet in the evenings whereas an R-1-8 zoning would not have as many neighbors.

Mr. Tingey indicated the R-M-15 setbacks are typical of any residential zone which are 25 feet front and rear and 8 foot side yard with a total of 20 foot side yard setbacks.

Gerry Cann, 4528 South Elida Street, stated he has spoken with the developers and would like to work with them on this proposal. He stated that he is speaking for seven people with concerns that Elida Street has been used for construction, but Elida Street has always been a private road and still is a private road, contrary what others may think. He stated that the residents must establish their privacy now otherwise it may be taken away from them. He stated that the developers have indicated that they would install a fence and they wish to have that agreement on the record and the residents are amicable to this agreement. He stated that the residents are also agreeable to not have the crash gate. He stated that they wish to prevent traffic from accessing through this area and any connection to 700 East.

Jon Boyden, 4545 South 600 East, stated that Mr. Tingey previously read his letter submitted to the commission. He stated that he has lived in this area for 20 years expecting general office development behind them and they were prepared for that and an office use may be the best neighbor because it would be quiet in the evening times. He stated that an R-M-15 zoning is disturbing to them. If this zoning is approved, this particular project may not necessarily be what is developed and another type of multi-family development could potentially be built.

Mr. Taylor indicated that if the zoning is changed, the project itself could change and this request is not site plan approval.

Don Kent, 566 Compton Court, stated that if the zoning is changed, a 40 foot high structure could be built with additional chimney height. This proposal could equate to 156 residents into this area, with at least 52 cars. There does not appear to be adequate parking on the proposed site plan. There are no parks or recreation for the additional children. Mr. Kent stated the site plan shows a proposed building (building #2) to be 7,500 sq.ft. and Mr. Markquardt previously indicated their largest building footprint would be 7,200 sq.ft. The utilities in this area are only 70 psi and they are at the bottom of the hill and the utilities are inadequate for this type of project. He stated that he checked with the water company who indicated to him that they could only bump it up to about 85 psi water pressure.

Amy Penechart, 4545 South 600 East, stated that Mr. Tingey previously summarized her letter submitted to the planning commission. Ms. Penechart stated that development for this area was inevitable. She stated that the city should approve changes that are a good fit with the existing surrounding areas. If the zoning change is approved, the developer has stated his intent is to build 37 foot high structures, yet the existing neighborhood, are predominantly single family and single story structures. In this case the requested zoning change does not lend itself to a plan that is a good fit. She stated that she does not feel an R-M-15 zoning is an appropriate transition. She stated they have had office buildings in their neighborhood for 20 years and have been good neighbors with much less impact than R-M-15 would have, and there would be less noise and light with a general office zoning.

Wes Eatchel, 4519 South 600 East, stated that he is adamantly against any zoning change whatsoever. When this area was annexed into Murray City, it was annexed in as G-O zoning, R-1-8 single family, and businesses until the recently approved zone change that allowed the Riley Condos to be developed. The best thing that could ever happen to him was the two office buildings, one to the north and one to the east of him, and are business buildings which are the best situation that could happen to his residence. He stated that there are seven rental areas in this small area which are Murray Meadows, Camilla Park, Hyde Park, Brittany Apartments, Mt. Vernon Condos, Tritan Apartments, and Riley Condos along with the businesses. He stated that businesses are much better neighbors than the multi-family dwellings. He expressed concern with adequate parking for the multi-family uses.

Paco Salazar, 4633 South Quiet Circle, stated he opposes any zoning changes. He stated that there are 30 children within a couple of blocks. He stated prior to this area being annexed into Murray City, his children attended an elementary school which is across a busy street and expressed concern for the children's safety.

Paul Roach, 4555 South 600 East, asked about the plans for the Engh property that originally had the road through. He expressed concern that if the zoning is changed and the units don't sell, that the units would then be converted into apartments and then become in disrepair because they are not owner occupied. He expressed concern with noise being in his back yard and if a conditional use permit is allowed, how would these issues be resolved. He stated that commercial uses would be a better neighbor and would be completed as opposed to residential units possibly not being funded or completed.

Terry Wright, 634 East 4630 South, stated that the residents found that multi-family residents cut through the neighbors streets, walk their dogs along the streets, and oftentimes show disrespect for other's properties. She stated that the neighborhood went in together on installing a wall at the end of their street.

George Fiddler, 4620 South 600 East, stated that he has been in this area for 25 years. There has been a lot of development in this area for single family dwellings and there have been proposals in the past for cluster homes which was defeated and resulted in 13 homes rather than 30 homes. He stated that the existing street is narrow and doesn't go through causing traffic congestion.

Tim Taylor stated this proposal would not connect to 600 East and would maintain the residential zoning.

Wes Eatchel asked why the developer persists in showing the garbage on 600 East, when they are talking about a central project. It gives the commission a different outlook on this project and is not giving a clear picture of the whole area. Mr. Taylor stated that he and other commission members have visited the site and have a good feel for the area.

A comment was made that a city park is needed in this area.

Mr. Pratt stated that many of the comments made pertain to future issues. He stated they are very well capitalized and actually own the property free and clear and there are no issues with them finishing what they have started. He stated they are committed to this property whether it be a commercial building or whether it be what they feel is the best use for it and something will be developed on the property. He stated they feel this is the perfect compromise for a buffer zone.

Sheri Van Bibber commented that residential homes can be up to 35 feet as measured to the pitch of the roof, but the R-M-15 zone does allow for a maximum of 40 feet height. A zone change would be necessary for the property in question for any residential type use because it is zoned general office.

Mr. Taylor stated in the general plan the general office zone and residential zones are seen as incompatible and the general plan discourages that use in a transitional area.

Mr. Tingey stated with regard to general planning principles, that general office uses and commercial uses are more intensive than residential uses and generally have more traffic, require more utilities, parking, lighting, etc. He stated that a high density residential development is a fairly intensive use however, it is residential. Going from residential to residential neighborhood business to general office, there is a hierarchy of uses. General office use adjacent to residential single family is typically not very compatible with regard to basic planning terms. He stated, in his opinion, to have a medium density residential seems to be a better transition.

Karen Daniels stated that based on the findings and the staff report, she made a motion to forward a positive recommendation to the city council for a general plan amendment from residential single family low density to residential multi-family medium density and zone change from G-O (General Office), to R-M-15 (multi-family medium density residential) at the properties addressed 4532, 4536, 4540, 4546 South Elida Street and 4549 South 600 East. Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

<u>A</u>	Ms. Van Bibber
<u>A</u>	Mr. Taylor
<u>A</u>	Ms. Daniels
<u>A</u>	Mr. Black
<u>N</u>	Mr. Aoki

Motion passed, 4-1.

Mr. Aoki stated there could be a lower transition than an R-M-15 and that the proposal encroaches into an existing R-1-8 zoning and he would prefer to see the G-O zoning remain in place.

Mr. Taylor commented that this recommendation will be forwarded to the city council for action.

ORNAMENTAL IRON - 5445-5447 South Riley Lane

There was no applicant present to represent this request. Ray Christensen indicated that the property owner is out of town and requested that this be reviewed anyway. Mr. Christensen reviewed the location and request of Gaywn Dutson for relocation of the existing dumpster and enclosure which is currently located at the south side of the existing building. The new location is located to the west parking area and is in front of the building. A dumpster located in front of the building requires commission approval. He stated that the existing dumpster location is actually in an easement area and at the time it was originally approved this issue was not known. Therefore, accessing the back area has become problematic and cannot be placed to the north because of the close proximity to a residential home. The various city departments indicated they did not have a problem with the new location of the dumpster and enclosure. It is recommended the commission approve the new dumpster location subject to the dumpster regulations.

Sheri Van Bibber stated that the proposal would be to enclose the dumpster where it currently is not enclosed.

No comments were made by the public.

Kurtis Aoki made a motion to grant approval for Ornamental Iron, located at 5445-5447 South Riley Lane, to relocate the dumpster to the front of the property subject to the dumpster being enclosed. Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

<u>A</u>	Ms. Van Bibber
<u>A</u>	Mr. Taylor
<u>A</u>	Ms. Daniels
<u>A</u>	Mr. Black
<u>A</u>	Mr. Aoki

Motion passed, 5-0.

OTHER BUSINESS

Sheri Van Bibber asked about numerous commercial businesses replacing the frontage landscaping strips with rocks. Mr. Christensen responded that there are some allowances for xeriscaping type of landscaping per ordinance but must be approved by the city forester. He stated that he could refer specific complaints to the zoning enforcement officer to investigate. Mr. Tingey commented that he recently had a conversation with the Murray Shade Tree & Beautification Commission related to landscaping. He stated that 40% of the landscaping has to be grass covering and then 60% can be other landscaping materials which includes shrubbery and potentially other sources of land cover. He stated typically there is an approval process for landscaping with commercial projects. He stated that complaints for specific locations should be referred to the zoning enforcement officer for investigation.

Sheri Van Bibber asked if chickens are allowed on residential property. Mr. Tingey responded that chickens are allowed only in the A-1 zoning district unless they are legal nonconforming uses which have been continued for many years.

Kurtis Aoki asked about the regulations for cleaning up of property and at what point does the owner have to clean it up. Mr. Critchfield responded that any violation of city or health department ordinances may be enforced based upon complaints.

Meeting adjourned.

Ray Christensen, AICP
Senior Planner